

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION)	DOCKET NO.
On Its Own Motion)	08-0651
)	
-vs-)	
)	
BIO-ENERGY PARTNERS; WM)	
PARTNERSHIP HOLDINGS, INC.;)	
CATERPILLAR FINANCIAL SERVICES)	
CORPORATION; WM ILLINOIS RENEWABLE)	
ENERGY, L.L.C.)	
)	
Determination of the manner in)	
which any or all Respondents shall)	
reimburse the State Treasury for)	
tax credits relating to the)	
qualified solid waste energy)	
facility located at the Greene)	
Valley Landfill, in Naperville,)	
Illinois, as defined in Section)	
8-403.1 of the Illinois Public)	
Utilities Act.)	

Springfield, Illinois
Thursday, November 19, 2009

Met, pursuant to notice, at 1:30 p.m.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710

1 APPEARANCES:

2 MR. JOHN FEELEY
Office of General Counsel
3 160 North LaSalle, Suite C-800
Chicago, Illinois 60601

4 (Appearing via teleconference on
5 behalf of Staff of the Illinois
Commerce Commission)

6 MS. FREDDI L. GREENBERG
7 Attorney at Law
1603 Orrington Avenue
8 Evanston, Illinois 60201

9 (Appearing via teleconference on
behalf of Respondents)

1	<u>I N D E X</u>			
2	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u> <u>RECROSS</u>
3	None .			
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14	<u>EXHIBITS</u>			
15			<u>MARKED</u>	<u>ADMITTED</u>
16	Respondents' Group 1		E-Docket	37
17				
18				
19				
20				
21				
22				

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

PROCEEDINGS

JUDGE ALBERS: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 08-0651. This docket was initiated by the Commission on its own motion concerning Bio-Energy Partners, WM Partnership Holdings, Inc., Caterpillar Financial Services Corp., and WM Illinois Renewable Energy, LLC. Specifically, this docket concerns the determination of how the Respondents will reimburse the State Treasury for tax credits relating to a qualified solid waste energy facility.

May I have the appearances for the record, please?

MR. FEELEY: Representing Staff of the Illinois Commerce Commission, John Feeley, Office of General Counsel, 160 North LaSalle Street, Suite C-800, Chicago, Illinois 60601.

MS. GREENBERG: Representing Respondents Bio-Energy Partners, WM Partnership Holdings, Inc., Caterpillar Financial Services Corporation, and WM Illinois Renewable Energy, LLC, Freddi L. Greenberg, 1603 Orrington Avenue, Evanston, Illinois 60201.

1 JUDGE ALBERS: Thank you. Let the record
2 reflect that there are no others wishing to enter an
3 appearance.

4 I will note as a preliminary matter
5 that I did receive from Ms. Greenberg an unredacted
6 copy of Respondents' Group Exhibit 1 and have
7 reviewed that document and been satisfied that the
8 redacted portions are not in fact relevant to the
9 subject matter of this hearing. I will get that back
10 to you, Ms. Greenberg.

11 And I also trust that the minor
12 changes and updates we discussed to the stipulation
13 have been taken care of or will be shortly.

14 MR. FEELEY: That's correct, and I can -- well,
15 I guess informally, I guess the plan would be for
16 Staff to file the joint stipulation and its
17 attachment on e-Docket sometime in the next few days.
18 I could provide you and copy Ms. Greenberg firmly a
19 red line copy, I think, that shows the changes that
20 were made. And then send you by e-mail as well the
21 draft order that Respondents and Staff agreed to, and
22 that I could show you -- provide you with a red line

1 copy that shows the changes that were made as well.
2 And then I think the plan is for Ms. Greenberg to
3 file Respondents' group exhibit on e-Docket sometime
4 in the next few days.

5 MS. GREENBERG: That's correct.

6 JUDGE ALBERS: Okay. That's fine with me. I
7 suppose the only official action today then would be
8 to admit Respondents' Group Exhibit 1 into the
9 record.

10 And you will file that stipulation
11 shortly, correct?

12 MR. FEELEY: Well, there would be two
13 documents, the joint stipulation and then
14 Respondents' group exhibit.

15 JUDGE ALBERS: Two different documents.

16 MR. FEELEY: Yeah, both would be filed in the
17 next few days.

18 JUDGE ALBERS: Well, hearing no objection or
19 assuming no objection to Respondents' Group Exhibit
20 Number 1, I will admit that now into the record.

21 (Whereupon Respondents' Group
22 Exhibit 1 was admitted into

1 evidence.)

2 JUDGE ALBERS: And you will file the

3 stipulation very soon.

4 Is there anything else for the record

5 today?

6 MR. FEELEY: The joint stipulation would be

7 admitted into evidence as well?

8 JUDGE ALBERS: Yes.

9 MR. FEELEY: That's it for Staff.

10 MS. GREENBERG: And nothing further for

11 Respondents.

12 JUDGE ALBERS: Okay. Then I will look forward

13 to receipt of the draft order, a Word version,

14 please, as well as the aforementioned e-mail you

15 described, Mr. Feeley?

16 MR. FEELEY: Yes.

17 JUDGE ALBERS: All right. If there is nothing

18 further then, I will mark the record heard and taken.

19 HEARD AND TAKEN

20

21

22